

From: Mark Kirby
To: Microsoft ATR
Date: 1/24/02 9:59pm
Subject: Microsoft Settlement

Dear Sir or Madam:

Microsoft is continuing to abuse their monopoly in desktop operating systems to compete in other software markets. If this is allowed to continue, consumers and competitors will be further harmed. The settlement offered by DOJ is not strong enough to contain Microsoft's illegal behavior, and should be reconsidered.

I have personally observed cases where Microsoft has discounted the price of their desktop operating systems, on the condition that a corporate customer replace competitive server products. These server products include electronic mail, electronic commerce, database and internet servers.

Microsoft is also actively integrating these same services into the desktop and server operating systems.

Any remedy which does not create a competitive environment in operating system -- is doomed to fail. Therefore, please consider remedies which either:

1. Force Microsoft to license their software "code" to potential competitors.
2. Force Microsoft to "publish" (to a limited, controlled audience) their software "code" for the purpose of identifying links between the operating systems and applications.
3. Force Microsoft to divest either the applications or operating systems business.

Thank you.

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